

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

KAREN BARKES, individually; :  
TINA GROSSMAN as next friend of :  
BRITTANY BARKES; TINA GROSSMAN :  
as next friend of ALEXANDRA BARKES; :  
and KAREN BARKES as administratrix :  
of the ESTATE OF CHRISTOPHER :  
BARKES, :  
: Civil Action No. 06-104-JJF  
Plaintiffs, :  
:  
v. :  
:  
FIRST CORRECTIONAL MEDICAL, INC; :  
STANLEY TAYLOR; RAPHAEL WILLIAMS; :  
CERTAIN UNKNOWN INDIVIDUAL :  
EMPLOYEES OF STATE OF DELAWARE :  
DEPARTMENT OF CORRECTION; CERTAIN :  
UNKNOWN INDIVIDUAL EMPLOYEES OF :  
FIRST CORRECTIONAL MEDICAL, INC., :  
and STATE OF DELAWARE, DEPARTMENT :  
OF CORRECTION, :  
:  
Defendants. :

O R D E R

WHEREAS, on February 27, 2008, Plaintiffs filed a Motion for Reargument of the Court's decision granting summary judgment in favor of State Defendants (D.I. 64), pursuant to Local Rules of Civil Procedure 7.1.5;

WHEREAS, in response to State Defendants' Response in Opposition to Plaintiffs' Motion to Reargument (D.I. 65), which was filed on March 28, 2008, Plaintiffs filed a Reply Memorandum of Plaintiffs in Support of Motion for Reargument (D.I. 66) on April 2, 2008;

WHEREAS, on April 7, 2008, State Defendants filed a Motion to Strike Reply Memorandum of Plaintiffs in Support of

Motion for Reargument (D.I. 67);

WHEREAS, Local Rule 7.1.5, which governs Motions for Reargument, does not contemplate the filing of a reply brief in the context of a motion for reargument, and distinctly sets out that "the Court will determine from the motion and answer whether argument will be granted."

NOW THEREFORE, IT IS HEREBY ORDERED that State Defendants' Motion to Strike Reply Memorandum of Plaintiffs in Support of Motion for Reargument (D.I. 67) is GRANTED.

April 15, 2008  
DATE

Joseph L. Fava, Jr.  
UNITED STATES DISTRICT JUDGE